

Remarks

Claims 1-17 are pending in the above-identified application.

Claim Rejections - 35 U.S.C. §112:

MPEP § 2173.04 states:

Breadth of a claim is not to be equated with indefiniteness. In re Miller, 441 F.2d 689, 169 USPQ 597 (CCPA 1971). If the scope of the subject matter embraced by the claims is clear, and if applicants have not otherwise indicated that they intend the invention to be of a scope different from that defined in the claims, then the claims comply with 35 U.S.C. 112, second paragraph.

In the present Office Action, the Examiner rejected claim 11 under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. According to the Examiner, the limitation "selecting a destination call processing entity within the packet network by a first call processing entity" is not supported by the specification. The Examiner then concludes that it would not have been able one skilled in the art to which it pertains to make and use the invention.

The Examiner also rejected claim 11 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner alleged that claim 11 is indefinite because it

is not clear which elements in fig. 1 the limitations "destination call processing entity" and "call processing entity" refer to. The Examiner asked: is the "destination call processing entity" the Feature server 170; and is the "call processing entity" the CG 180?

In claim 11 a trunk selection parameter is conveyed from the first call processing entity to the selected destination call processing entity. On page 12 of the specification, lines 1-3, it states: "In the embodiment of Figure 1, when Feature Server 170 detects that a call requires a feature that it cannot provide, it determines a TSP associated with the required feature. The TSP is then sent out to Connection Gateway 180." On page 11, line 20, the TSP is defined to be the trunk selection parameter. Therefore, it clear from the specification that the first call processing entity is the feature server 170 and that the destination call processing entity is the connection gateway.

Also, on page 9 of the specification, lines 8-10, it states, "In the embodiment of Figure 1, Feature Server 170 signals one or more packet network connection gateways, which in turn control associated PVGS, to direct the call through the packet network." Therefore, the limitation "selecting a destination call processing entity within the packet network by a first call processing entity" is supported by the specification.

The rejection of claim 11 under 35 U.S.C. 112 is respectfully traversed and the Examiner is respectfully requested to reconsider the rejection of claim 11.

Claim Rejections - 35 U.S.C. §102:

MPEP §2129 states:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628,631,2 USPQ2d 1051,1053 (Fed. Cir.1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226,1236,9 USPQ2d 1913,1920 (Fed. Cir.1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831,15 USPQ2d 1566 (Fed. Cir.1990).

The Examiner rejected Claims 1, 2, 4-9 under 35 U.S.C. 102(b) as being anticipated by Porter US 5,963,618.

Regarding claim 1 and according to the Examiner, Porter discloses a voice processing system in figure 5. Porter teaches using a voicemail system component (voice processing unit 520) to invite a caller to leave a voicemail message (column 11, lines 12-19) and storing the voicemail message on a depository (mailbox of voicemail system 542) through an Internet (column 11, lines 52-67).

In general the apparatus of the present application includes one or more voicemail system components that employ an Internet protocol network to store or access one or more voicemail messages on one or more storage devices. The one or more voicemail system

components are coupled with the one or more storage devices through the Internet protocol network.

Another embodiment of the invention encompasses a method. An address of a voicemail message is copied on a second voice mailbox, on a second voicemail system component, from a first voice mailbox, on a first voicemail system component, to move an association with a user from the first voice mailbox to the second voice mailbox.

A further embodiment of the invention encompasses an article. The article includes a computer-readable signal-bearing medium. The article includes means in the medium for copying an address of a voicemail message on a second voice mailbox, on a second voicemail system component, from a first voice mailbox, on a first voicemail system component, to move an association with a user from the first voice mailbox to the second voice mailbox.

More specifically and referring again to FIGS. 1-2 and 8, when the voicemail message 202 is forwarded from a first voice mailbox 204 to a second voice mailbox 204, the voicemail system component 110 serves to modify and/or cause modification of the information set 234 on the storage device 112, for example, by adding an entry 249 to the linked list 235 for the voicemail message 202 on the storage device 112 which the apparatus 100 associates with the second voice mailbox 204 in addition to the entry 249 already present in the linked list 235 which the apparatus 100 has already associated with the first voice mailbox 204.

Also referring to FIGS. 1-2 and 8, the user 117 accesses the voice mailbox 204 that the apparatus 100 associates with that user 117. For example, the user 117 dials the destination number 113 for that user 117 from the phone 104. In a further example, the user

117 provides a password or other form of authentication to the voicemail system component 110 to gain access to the voice mailbox 204 of that user 117. Upon gaining access to the voice mailbox 204, the user 117 in one example instructs the voicemail system component 110 to retrieve one of the one or more voicemail messages 202 to which the apparatus 100 allows access through the voice mailbox 204. The voicemail system component 110 in one example employs the entry 206 in the voice mailbox 204 that corresponds to the voicemail message 202 on the storage device 112, to allow access to the voicemail message 202 by the user 117.

Furthermore, referring to FIGS. 1-2 and 7-8, an administrator 107 employs one or more portions of the logic 700 to move the voice mailbox 204 from one of the storage devices 112 to another of the storage devices 112. The apparatus 100 serves to allow the administrator 107 to move one or more of the voice mailboxes 204 among a plurality of the voicemail system components 110. The apparatus 100 allows the administrator 107 to move the voice mailbox 204 from a first voicemail system component 110 to a second voicemail system component 110. Moving of the one or more voice mailboxes 204 serves to balance the load among the one or more voicemail system components 110 of participation in the handling and/or managing of one or more of the voice mailboxes 204. Moving of the one or more voice mailboxes 204 serves to promote efficiency and/or effectiveness of one or more of the voicemail system components 110.

Therefore, a first voicemail system component 110 creates a second voice mailbox 204 on a second voicemail system component 110 to accomplish the move of a first voice mailbox 204. The first voicemail system component 110 copies the one or more entries 206, the one or more greetings 208, and the one or more distribution lists 210 from the first voice

mailbox 204 to the second voice mailbox 204. The first voicemail system component 110 cooperates with one or more of the storage devices 112 to cause an updating of one or more of the entries 249 to update the addresses 242 to point to locations of the one or more entries 206 in the second voice mailbox 204 rather than locations of the one or more entries 206 in the first voice mailbox 204. The first voicemail system component 110 serves to delete the one or more entries 206, the one or more greetings 208, and the one or more distribution lists 210 from the first voice mailbox 204.

However, Porter teaches that the voice processing system utilizes the information listed in Table 1 to determine how to process the recorded message (column 11, lines 52-67). Assuming that the "Send to voice mail address" flag is set (as shown in Table 1), the received recorded message is packaged in the VPIM format described above, and then transmitted over the Internet 530 to the voice mail system identified in Table 1 for that subscriber. The receiving voice mail system processes the incoming message (eg into the correct audio format, and stripping out the header information), and inserts the voice mail message into the appropriate mailbox for the identified subscriber, using the custom server interface of DirectTalk/6000 in the preferred embodiment. The subscriber can then access the voice mail message from their mailbox in conventional fashion.

Therefore, Porter does not disclose each of the elements of claim 1 as interpreted by the specification as described above.

Regarding claim 2 and according to the Examiner, Porter teaches that the voicemail system component 520 employs an address to store the voicemail message in a mailbox (column 11, lines 3943).

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

Regarding claim 4 and according to the Examiner, Porter teaches a plurality of VM 542-546 for storing voice messages, and each VM is a file server (able to store or retrieve a voice data file). Porter also teaches using separate voicemail system components 520 (column 14, lines 33-42), wherein a first voicemail system component 520 is able to store or access a first voicemail message on a VM, and a second voicemail system component 520 is able to store or access a second voicemail message on another VM.

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

Regarding claim 5 and according to the Examiner, Porter teaches that though the voicemail system component 520, a user is able to retrieve the voicemail message through Internet (column 14, lines 33-42). The Examiner alleges that it is inherent that once the voicemail message is accessed, it can be forwarded or deleted.

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

Regarding claim 6 and according to the Examiner, Porter teaches that the voicemail system component 520 has a database for each subscriber, wherein each data base has a pointer (mailbox number or voice mail address) (column 11, lines 39-43, Table 1).

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

Regarding claim 7 and according to the Examiner, Porter teaches that the voicemail system component 520 has a database for each subscriber, wherein each database has a mailbox address (column 11, lines 39-43, Table 1). Porter further teaches using multiple separate voicemail system component 520 for each subscriber (column 14, lines 33-42). The Examiner concluded that it is inherent that a subscriber has a first database in a first voicemail system component 520 and a second database in a second voicemail system component 520 with the same voicemail address.

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

Regarding claim 8 and according to the Examiner, Porter teaches that the voicemail system component 520 has a database for each subscriber, wherein each data base has a pointer (mailbox number or voice mail address) (column 11, lines 39-43, Table 1).

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

Regarding claim 9 and according to the Examiner, Porter teaches that the voicemail system component 520 has a database, which comprises link lists to mailboxes in VM 542-546 (column 11, lines 3943, Table 1).

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

The Examiner also rejected claims 1, 3, 4, and 11 under 35 U.S.C. 102(e) as being anticipated by O'Donovan et al., US 6,396,908.

Regarding claim 1 and according to the Examiner, O'Donovan discloses a message transfer system in figure 1. O'Donovan's system comprising voicemail system component 16, to store a voicemail messages on a depository 26 (column 6, lines 32-44, 61-67; column 7, lines 1-7). The voicemail system component 16 and the depository are coupled through Internet 40 (Figure 1).

The patent of O'Donovan discloses a method and apparatus whereby the fact that the called party is only available to receive a message is recognized and the communication path between the called and the calling party altered from a voice channel to a data channel. This is achieved by recording the message locally to the calling party, processing the message as a data message and sending it via the data channel to the called party where the message is reconstructed and awaits accessing by the called party.

The present claimed invention, however, includes one or more voicemail system components that employ an Internet protocol network to store or access one or more voicemail messages on one or more storage devices. The one or more voicemail system components are coupled with the one or more storage devices through the Internet protocol network.

Therefore, O'Donovan does not disclose each of the elements of claim 1 as interpreted by the specification as described above.

Regarding claim 3 and according to the Examiner, O'Donovan teaches employing an address of location by voicemail system component 16 to store the voicemail message (column 7, lines 1-7).

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

Regarding claim 4 and according to the Examiner, O'Donovan teaches employing an address of location by the depository 26 to identify a mailbox on the voicemail component 16 (column 8, lines 1830).

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

Regarding claim 11 and according to the Examiner, O'Donovan teaches multiple voicemail systems interconnected by networks, and each mailbox in a repository comprises a linked list to the addresses of other mailboxes in other voicemail systems. Each mailbox is associated with a recipient of a voicemail message (column 8, lines 18-30).

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

The Examiner further rejected claims 1 and 12 under 35 U.S.C. 102(e) as being anticipated by Porter, US 6,282,270.

Regarding claim 1 and according to the Examiner, Porter '270 discloses a World Wide Web voicemail system in figure 3. According to the Examiner Porter's system comprises a voicemail system component (WWW CLIENT 310) for retrieving a voicemail message from a storage device (VOICE DB 390) through Internet (Abstract; column 5, lines 26-37; column 6, 20-32).

More specifically, Porter teaches as shown in FIG. 3 the architecture whereby access can be provided to voice mail messages in a voice mail system over the Internet World wide Web (WWW). A user at a WWW client 310 can obtain access to their voice mail through the Internet WWW communication network 320 and a WWW server 330. The server in turn is attached to a message client 350, which communicates with a message server 370. This latter component is an application on a DirectTalk/6000 voice processing system, which is used to access voice message information, including the voice messages themselves, and direct this back towards the requesting WWW Client.

The present claimed invention, however, includes one or more voicemail system components that employ an Internet protocol network to store or access one or more voicemail messages on one or more storage devices. The one or more voicemail system components are coupled with the one or more storage devices through the Internet protocol network.

Furthermore, the user 117 in one example accesses the voice mailbox 204 that the apparatus 100 associates with that user 117. For example, the user 117 dials the destination number 113 for that user 117 from the phone 104. In a further example, the user 117 provides a password or other form of authentication to the voicemail system component 110 to gain access to the voice mailbox 204 of that user 117. Upon gaining access to the voice mailbox 204, the user 117 in one example instructs the voicemail system component 110 to retrieve one of the one or more voicemail messages 202 to which the apparatus 100 allows access through the voice mailbox 204. The voicemail system component 110 in one example employs the entry 206 in the voice mailbox 204 that corresponds to the voicemail message 202 on the storage device 112, to allow access to the voicemail message 202 by the user 117.

Therefore, O'Donovan does not disclose each of the elements of claim 1 as interpreted by the specification as described above.

Regarding claim 12 and according to the Examiner, Porter '270 teaches that a voice mailbox may store only logical information of voicemail messages, and the physical voicemail messages may be stored elsewhere (column 5, lines 7-18). According to the Examiner Porter '270 also teaches deleting a voicemail message by deleting a hyperlink (reference) to the voicemail message from a voice mailbox (column 30-47).

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not anticipated by cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

The Examiner additionally rejected claims 14 and 16 under 35 U.S.C. 102(b) as being anticipated by Arumainayagam et al., US 5,659,599.

According to the Examiner: Arumainayagam discloses a voice mail network and networking method in figures 1-3; Arumainayagam teaches receiving a voicemail message in a remote voicemail system (column 4, lines 43-53), forwarding the voicemail message to a local voicemail system (column 5, lines 7-22); and Arumainayagam also teaches copying the address header information (sender's name and telephone number, recipient's name and telephone number) of the voicemail message to the local voicemail system (column 5, lines 18-22).

According to claims 14 and 16, the claimed invention includes copying an address of a voicemail message on a second voice mailbox, on a second voicemail system component, from a first voice mailbox, on a first voicemail system component, to move an association with a user from the first voice mailbox to the second voice mailbox. Such is not disclosed by Arumainayagam where the header information includes voicemail message, as opposed to, mailbox.

Claim Rejections - 35 U.S.C. §103:

MPEP §706.02(j) states:

"To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success.

Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

MPEP §2143.01 states:

"Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved, as a whole would have suggested to those of ordinary skill in the art. In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992)."

The Examiner rejected claim 10 under 35 U.S.C. 103(a) as being unpatentable over Porter US 5,963,618 in view of Finnigan US 6,181,780. According to the Examiner, Porter '618 teaches using a database to access a voicemail message in a depository through Internet, but fails to teach that the database includes an encryption key. The Examiner then cites Finnigan as disclosing a telephonic voice message store and forward system and method in figure 1, and that Finnigan teaches using privacy device to encrypt a voice message (column 6, lines 6-11).

The Examiner then concludes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Porter's reference with the teaching of Finnigan so that a voicemail message would have been encrypted and the database would have comprised a encryption key for encryption and de-encryption the voicemail message, because such a modification would have enhanced security and privacy of the voicemail message.

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not obvious in view of the cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

The Examiner rejected claim 13 under 35 U.S.C. 103(a) as being unpatentable over O'Donovan et al. US 6,396,908 in view of Arumainayagam et al. US 5,659,599.

According to the Examiner O'Donovan teaches recording a voicemail message in a first mailbox and forwarding the voicemail message to a second mailbox (depository) through Internet, but fails to specifically teach that forwarding includes copying an address of the voicemail to from the first mailbox to the second mailbox. The Examiner alleges that Arumainayagam discloses a voice mail network and networking method in figures 1-3, that Arumainayagam teaches receiving a voicemail message in a remote voicemail system (column 4, lines 43-53), forwarding the voicemail message to a local voicemail system (column 5, lines 7-22) and that Arumainayagam also teaches coping the address header information [sender's name and telephone number, recipient's name and telephone number] of the voicemail message to the local voicemail system (column 5, lines 18-22).

The Examiner then concludes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify O'Donovan's reference with the teaching of Arumainayagam so that an address of a voicemail message would have been copied from a first mailbox to a second mailbox, because such a modification would have kept a recipient of the second mailbox informed of the address of the sender of the voicemail message.

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not obvious in view of the cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

The Examiner also rejected claims 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arumainayagam et al., US 5,659,599 in view of Porter US 5,963,618.

According to the Examiner, Arumainayagam teaches receiving a voicemail message in a remote voicemail system (column 4, lines 43-53), and forwarding the voicemail message to a local voicemail system (column 5, lines 7-22). The Examiner also states that Arumainayagam teaches copying the address header information (sender's name and telephone number, recipient's name and telephone number) of the voicemail message to the local voicemail system (column 5, lines 18-22). The Examiner further states that Arumainayagam teaches changing correspondence of the voicemail message from first mailbox in the remote voicemail system to the second mailbox in the local voicemail system (column 6, lines 18-23). According to the Examiner, Arumainayagam teaches coupling voicemail systems though a

PSTN network, or a private network, but fails to teach coupling through an Internet. The Examiner then cites Porter as teaching that voicemail systems are coupled through an Internet (figure 5; column 11, lines 3-7).

The Examiner then concludes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Arumainayagam's reference with the teaching of Porter so that a voicemail systems would have been coupled through Internet, because such a modification would have enabled voicemail systems to exchange voicemail messages through Internet to avoid tolls.

Since this dependent claim includes all the limitations of the independent claim, upon which it depends, this dependent claim is also not obvious in view of the cited prior art. This dependent claim is believed allowable for the same reasons as the related independent claim, as well as its own additional characterization.

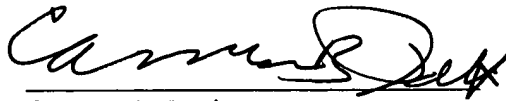
To establish a prima facie case of obviousness, the Examiner must demonstrate all of the following elements: 1) suggestion or motivation, either in the references themselves or in the knowledge of one of ordinary skill in the art, to combine the reference teachings; 2) reasonable expectation of success found in the prior art; and 3) the prior art references (combined) must teach or suggest all of the claim limitations. The prima facie case of obviousness determination was improperly made out. The Examiner has not demonstrated all the elements of the prima facie case. Thus, the opinion of obviousness is deficient and the Applicants are deserving of a patent.

Therefore, the rejections of the claims under 35 U.S.C. § 102 and under 35 U.S.C. § 103 have been overcome, and the Examiner is respectfully requested to reconsider these rejections.

Applicants respectfully submit that the applied references, taken singly or in combination, assuming, arguendo, that the combination of the applied references is proper, do not teach or suggest one or more elements of the claimed invention. Applicants have discussed herein one or more differences between the cited prior art, and the claimed invention with reference to one or more parts of the cited prior art. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of cited prior art correspond to the claimed invention.

The prior art made of record and not relied upon is considered to be of general interest only. This application is believed to be in condition for allowance, and such action at an early date is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Carmen B. Patti', with a stylized flourish at the end.

Carmen B. Patti
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